REMARKS/ARGUMENTS

The present amendment is submitted in accordance with the Revised Amendment Format.

The Examiner has rejected claims 1-4, 8-25, and 27-30 of this Application under 35.U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention

The Examiner has rejected claims 1-8, 9-19, 21-22, and 28-30 of this Application under 35.U.S.C. § 102(b) as being anticipated by Microsoft Access 2000 ("Access").

The Examiner has rejected claim 8 of this Application under 35.U.S.C. § 103(a) as being unpatentable over Access in view of Fitzloff et al ("Web Open Enterprise Portals" by Emily Fitzoff and Dana Gardner; herein "Fitzloff").

The Examiner has rejected claim 16 of this Application under 35.U.S.C. § 103(a) as being unpatentable over Access in view of Burkett et al (U.S. Patent No. 6,476,828; herein "Burkett").

The Examiner has rejected claim 20 of this Application under 35.U.S.C. § 103(a) as being unpatentable over Access in view of Santhanam et al (U.S. Patent No. 6,247,174; herein "Santhanam").

The Examiner has rejected claim 23 of this Application under 35.U.S.C. § 103(a) as being unpatentable over Access in view of Ching et al (U.S. Patent No. 6,407,761; herein "Ching") and further in view of Babutzka et al. (U.S. Patent No. 6,898,794; herein "Babutzka").

The Examiner has rejected claim 24-27 of this Application under 35.U.S.C. § 103(a) as being unpatentable over Access in view of Lennartsson et al (U.S. Patent No. 5,446,846; hereon will be known as "Lennartsson").

Claims 1-30 are pending in this application.

The claims have been amended as set forth above.

Claims 11, 17, 19, 20, 25, and 29 have been canceled without prejudice.

All amendments are fully supported by the specification and no new matter has been added.

Reconsideration and allowance of all claims is respectfully requested.

Rejection under Section 112

The first issue in this case is whether claims 1-4, 8-25, and 27-30 are invalid under 35.U.S.C. 112, second paragraph. The central inquiry with regard to the second paragraph of 35 U.S.C. § 112 is whether those skilled in the art would understand what is claimed when the claim is read in light of the specification. *See, e.g., Personalized Media Communications, Inc. v. Int'l Trade Comm'n,* 161 F.3d 696, 705 (Fed. Cir. 1998); *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.,* 806 F.2d 1565, 1576 (Fed. Cir. 1986); *see also Exxon Res. & Eng'g Corp. v. United States,* 265 F.3d 1371, 1375 (Fed. Cir. 2001) ("If one skilled in the art would understand the bounds of the claims when read in light of the specification, then the claim satisfies section 112 paragraph 2."). The Federal Circuit has "not insisted that claims be plain on their face in order to avoid condemnation for indefiniteness"; rather, it has asked only that claims be "amenable to construction, however difficult that task may be." *Exxon,* 265 F.3d at 1375. Only if a claim is "insolubly ambiguous, and no narrowing construction can properly be adopted," may a court hold a claim indefinite. *Id.* (Emphasis Supplied). As the Federal Circuit has stated, "[i]f the meaning of the claim is discernible, even though the task may be formidable and the conclusion may be one over which reasonable persons will disagree, we have held the claim sufficiently clear to avoid invalidity on indefiniteness grounds." *Id.* (Emphasis Supplied).

The Examiner has stated the term "defining a relationship" in claim 1, 4, and 9 is vague and indefinite. Applicants disagree that this term is indefinite, but without prejudice have amended claims 1, 4, and 9 to recite "defining a behavioral relationship" rather than a "relationship" in an effort to clarify the claim. Since the meaning of this term is discernible and not insolubly ambiguous, Applicants respectfully request reconsideration and withdraw of the rejection of claims 1, 4, and 9.

The Examiner has stated the term "canonic representation" in claims 2, 3, 11, 15-17, 19, 25, and 29 is broad and indefinite. This rejection is improper at least because the Examiner has determined a possible meaning of the term. (Office Action, page 2). Moreover, Applicants respectfully point out that canonic representation is disclosed in Fig. 3A and 3B. Page 13, lines 11-12 of the Application also describes a canonic representation as "a means for

capturing the user interface model in a machine-readable way." Page 12, lines 20-21 of the application further describes a canonic representation as being "derived from the visual representation." The above cited disclosures further render the meaning claims 2, 3, 11, 15-17, 19, 25, and 29 discernible. Applicants respectfully request reconsideration and withdrawal of the rejection of claims 2, 3, 11, 15-17, 25, and 29.

The Examiner has stated the term "enterprise portal" in claim 8 is vague and indefinite. Applicants respectfully point out that enterprise portal is disclosed in Fig 5. Page 25, lines 20-21 further discloses that the enterprise portal "couples a client 504 to a plurality of information sources 506." Since the meaning of this term is discernible and not insolubly ambiguous, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 8.

The Examiner has stated the term "business function" in claims 10, 12-14, 18, 21, 22, 24, 27, 28, and 30 is vague and indefinite. Applicants respectfully point out that business function is disclosed on page 11, lines 24-26 as a basic building block for creating visual representations of user interface. Accordingly, the meaning of the claim is discernible and not insolubly ambiguous. Applicants respectfully request reconsideration and withdrawal of the rejection of claims 10, 12-14, 18, 21, 27, 28, and 30.

The Examiner has stated the term "reusable application components" in claims 22 and 23 is vague and indefinite. Applicants submit that the meaning of this term is discernible and not insolubly ambiguous. Nevertheless, Applicants have amended claims 22 and 23 without prejudice to recite a "predefined set of business function components," rather than a "reusable application components" to clarify the claim. Applicants respectfully request reconsideration and withdraw of the rejection of claims 22 and 23.

The Examiner has stated the term "distributed computer system" in claim 24 is vague and indefinite. Applicants submit that the meaning of this term is discernible and not insolubly ambiguous. Nevertheless, Applicants have amended claims 10 and 24 to recite a "computer system comprising a plurality of computers coupled in a network" rather than "distributed computer systems." Applicants respectfully request reconsideration and withdraw of the rejection of claim 24.

Rejection under 35 U.S.C. § 102(b) based on Access

The second issue in this case is whether or not Access anticipates claims 1-8, 9-19, 21-22, and 28-30 under 35 U.S.C. § 102(b). Because Section 102 requires *"identity"* as set forth below, and because such identity is <u>not</u> found in the prior art, the Examiners rejection must be withdrawn.

A. Applicable Law:

"A claim is anticipated under 35 U.S.C. § 102 only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987), MPEP 2131.01. The Federal Circuit has repeatedly emphasized that anticipation is established only if (1) all the elements of an invention, as stated in the patent claim, (2) are <u>identically</u> set forth, (3) in a single prior art reference. *In re Schreiber*, 128 F.3d 1473, 1477 (Fed. Cir. 1997) ("To anticipate a claim, a prior art reference must disclose every limitation of the claimed invention, either expressly or inherently."); *In re Paulsen*, 30 F.3d 1475,1478-79 (Fed. Cir. 1994) ("A rejection for anticipation under section 102 requires that each and every limitation of the claimed invention be disclosed in a single prior art reference."); *Gechter v. Davidson*, 116 F.3d 1454, 1457 (Fed. Cir. 1997) ("Under 35 U.S.C. 102(b), every limitation of a claim must identically appear in a single prior art reference for it to anticipate the claim").

Importantly, the presence of each claim limitation in the disclosure of a reference must be <u>clear</u>. For example, as stated in *Datascope Corp. v. SMEC, Inc.*, "Anticipation cannot be predicated on teachings in a reference that are vague or based on conjecture." *Datascope Corp. v. SMEC, Inc.*, 776 F.2d 320 (Fed. Cir. 1985). This concept has been reiterated by the Board of Patent Appeals. For example, in *Ex parte Standish*, the Board stated, "anticipation of a claimed product cannot be predicated on mere conjecture as to the characteristics of a prior art product." *Ex parte Standish*, 10 USPQ2d 1454, 1457 (Bd. Pat. App. & Int'f 1989).

B. Application of the Law and Reference to the Claims At-Issue:

Applicants respectfully point out that Access does not anticipate claims 1-8, 9-19, 21-22, and 28-30 under 35 U.S.C. § 102(b) because it is not identical to the claims of this Application. Applicants note that Access is an application for data manipulation, which is different than claims to an application for generating executable code for multiple platforms using a single model. Access may be used to transfer the certain portions of the database on the Internet so that many users may edit the same database. However, this is still significantly different than generating executable code for multiple platforms using a single model. All claims are allowable because Access does not clearly and identically disclose each and every element recited in these claims either expressly or inherently.

Claim 1 recites "a method for generating a user interface" including the following limitations:

> "providing an editor for designing a visual representation of a user interface, the editor providing a workspace and a task panel to be displayed on a display device on a client system, the workspace being provided to design the visual representation thereon, the task panel providing a plurality of elements for use in designing the visual representation, one or more of the elements being associated with a server system remotely located from the client system;
> selecting a first actor from the task panel, the first actor being a data source object that is one of the elements and includes application logic needed to access application layer provided in the server system;
> inserting the first actor into the workspace;
> inserting a second actor selected from the task panel into the workspace;
> diagrammatically defining a <u>behavioral relationship between the first actor and the second actor</u>; and
> <u>generating executable code from the first and second actors and the behavioral relationship thereof.</u>"

(Amended Claim 1)(Emphasis Added).

Among other things, claim 1 describes a designing a visual representation of a user interface and generating executable code from first and second actors and a behavioral relationship. One element of the method includes inserting two actors from a task panel into a workspace and defining a relationship between the two actors. Access does not anticipate claim 1, *inter alia*, because Access does not teach these limitations. Rather, Access discloses a task

panel wherein clicking an actor from the task panel opens dialog boxes, runs commands, or runs Visual Basic procedures. (See MS Access 2000, pg 224-231). Moreover, the relationship defined in Access does not define a behavioral relationship between a first and second actor inserted from a task panel. Rather, the relationship defined is between data or tables not inserted from a taskbar. (See MS Access 2000, pg 165). This is substantially different from the elements disclosed in claim 1. Applicants have amended claim 1 to more clearly distinguish this software method from Access. Because Access does not disclose the same invention as set forth in claim 1, Access cannot anticipate claim 1 under 35 U.S.C. § 102(b).

Claims 2-8 are dependent claims that include all the limitations of claim 1 and include additional limitations. Therefore, these claims are allowable for at least the same reasons and further because Access does not disclose the additional limitations of these dependent claims.

Claim 9 recites a "method for generating a user interface" including the following limitations:

> providing an editor for designing a visual representation of a user interface from a server system to a client system, the editor providing a workspace and a task panel to be displayed on a display device on the client system, the workspace being provided to design the visual representation thereon, the task panel providing a plurality of elements for use in designing the visual representation, one or more of the elements being associated with the server system remotely located from the client system;
> displaying a scenario selected by a user on the workspace, the scenario being compatible with user requirements for the user interface, the scenario including a plurality of interleaved scenes;
> defining each of the plurality of scenes according to inputs received from the user, each scene including concurrently active and collaborating actors, the actors being specialized computational units that represent threads of activities, where each scene is defined by diagrammatically defining a behavioral relationship between the actors associated with that scene;
> generating a canonic representation of a model represented by the scenario and the scenes; and
> generating a first and second executable from the canonic representation, wherein the first code is compatible with a first platform and the second code is compatible with a second platform that is different from the first platform.

(Amended Claim 9)(Emphasis Added).

Access does not anticipate claim 9, *inter alia*, because Access does not disclose generating a first and second executable from the canonic representation, wherein the first code is compatible with a first platform and the second code is compatible with a second platform that is different from the first platform. Rather, Access discloses only generating one executable compatible with one platform. This is substantially different than Applicants' invention where executables compatible with different platforms may be generated from a single canonic representation. Applicants have amended claim 9 to more clearly distinguish this invention from Access. Because Access does not disclose the same invention as set forth in claim 9, Access cannot anticipate claim 9 under 35 U.S.C. § 102(b).

Claim 10 recites a "method for generating a user interface" including the following limitations:

> displaying a <u>first business function component</u> selected by a first user on a first display area of a frontend system, the first business function component being associated with first application logic to access a first business application provided in a server system;
> displaying a <u>second business function component</u> selected by the first user on the first display area of the client system, the second business function component being associated with second application logic to access a second business application provided in the server system;
> forming a behavioral relationship between the first and second business function components;
> creating a visual representation of the user interface based on the displaying steps and the forming step;
> generating a canonic representation of the visual representation; and
> <u>generating a first and second executable user interface code from the canonic representation</u>, the first and second executable user interface code being operable to access the first and second applications provided in the server system to retrieve desired data,
> wherein <u>the first code is compatible with a first platform and the second code is compatible with a second platform that is different from the first platform</u>.
> (Amended Claim 10)(Emphasis Added).

Access does not anticipate claim 10, *inter alia*, because Access does not disclose business function components. Claim 10 recites, *inter alia*, displaying business function components and forming behavioral relationships to create visual representation of a user interface. The visual representation is then used to generate first and second executable code for the user interface that is compatible with different platforms. Access does not disclose at least these features of claim 10. Rather, Access discloses methods for managing a database of knowledge. For example, Access discloses customizing an application using object oriented function calls in Visual Basic (See MS Access 2000, pages 21-43) and creating web pages for an application (See MS Access 2000, pages 21-43). Applicants respectfully point out that this is significantly different than the invention set forth in claim 10.

Moreover, Access does not disclose generating a first and second executable user interface code from a canonic representation, wherein the first code is compatible with a first platform and the second code is compatible with a second platform that is different from the first platform. Rather, Access discloses a method of generating executable code <u>compatible with a single platform.</u> Because Access does not disclose the same invention as set forth in claim 10, Access cannot anticipate claim 10 under 35 U.S.C. § 102(b).

Claims 12-16, 18, and 21-23 are dependent claims that include all the limitations of claim 10 and include additional limitations. Therefore, these claims are allowable for at least the same reasons and further because Access does not disclose the additional limitations of these dependent claims.

Claims 28 and 30 are independent claims that also recite generating a first and second executable user interface code from a canonic representation, wherein the first code is compatible with a first platform and the second code is compatible with a second platform that is different from the first platform. For at least the reasons as discussed above for claims 9 and 10, claims 28 and 30 are allowable given the additional limitations provided in this amendment.

Rejection under 35 U.S.C. § 103(a) based on Access

The third issue in this case is whether claims 8, 16, 20, 23, and 24-27 are unpatentable in view of Access under 35 U.S.C. § 103(a) in combination with other prior art.

Claims 20 and 25 have been canceled without prejudice. Applicants respectfully point out that Access does not render these claims 8, 16, and 23 obvious. Claims 8, 16, and 23 are dependant claims including all the limitations of their corresponding independent base claims. As mentioned above, the independent claims 1 and 10 are allowable over Access, and none of the other cited references have been relied on for the missing limitations described above. Therefore these claims are allowable for at least the same or similar reasons. The only issue is whether claims 24 and 26-27 are unpatentable over Access in view of Lennartsson et al.

Claim 24 recites a "computer system with a plurality of computers coupled in a network" including the following limitations:

> "means for displaying a first business function component selected by a first user on a first display area of a client system, the first business function component being associated with first application logic to access a first business application provided in a server system;
> means for displaying a second business function component selected by the first user on the first display area of the client system, the second business function component being associated with second application logic to access a second business application provided in the server system;
> means for forming a behavioral relationship between the first and second business function components, wherein a visual representation of the user interface is created based on the displaying steps and the forming step;
> means for generating a canonic representation of the visual representation; and
> means for generating a first and second executable user interface code from the canonic representation, the first and second executable user interface code being operable to access the first and second applications provided in the server system to retrieve desired data,
> wherein the first code is compatible with a first platform and the second code is compatible with a second platform that is different from the first platform."

(Claim 24)(Emphasis added).

The combination of Access and Lennartsson does not anticipate claim 24 because neither discloses a means for generating a first and second executable user interface code, wherein the first code is compatible with a first platform and the second code is compatible with a second platform that is different from the first platform. Instead, Access teaches a method of generating executable code compatible with a single platform. Although Lennartsson may teach a distributed computer system as stated by the Examiner, this point is moot since Lennartsson

does not teach the missing element described above. Furthermore, claim 24 also recites generating business function components. For at least the reasons as discussed above for claims 9 and 10, Access does not disclose business function components described in claim 24. Lennartsson also does not disclose business function components. Rather, Lennartsson discloses a distributed computer system of interconnected module units which perform logical operations at different locations. There is no mention of a basic building block for creating visual representations of user interface anywhere in Lennartsson. Since the combination of Access and Lennartsson do not disclose every element of claim 24, Access and Lennartsson do not anticipate claim 24 under 35 U.S.C. § 103(a).

Claims 25 has been canceled. Claims 26-27 are dependent claims that include all the limitations of claim 24 and include additional limitations. Therefore, these claims are allowable for at least the same reasons and further because Access and Lennartsson do not disclose the additional limitations of these dependent claims.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 408-244-6319.

Respectfully submitted,

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